

**Notice of Allowability**

Application No.

09/976,314

Applicant(s)

SAFADI, REEM

Examiner

Art Unit

Raymond J. Bayerl

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 11 May 2005.
2. ☒ The allowed claim(s) is/are 1 - 25, 36 - 39, all other claims canceled.
3. ☒ The drawings filed on 15 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**

19 July 2005

1. The following is an Examiner's statement of reasons for allowance:

The Examiner is in general agreement with applicant's 11 May 2005 response, in which it is argued that the independent claims 1, 10, 18, 24, 36 are not rendered obvious under 35 USC 103 in view of the combination of Lopresti et al. ("Lopresti"; US #5,889,506) and Goulden et al. (US #5,956,025), as was indicated in the previous office action.

Specifically as to independent claims 1, 10, 18, 24, an "application" or "Versatile Remote Control Manager (VRCM)" "remaps a corresponding key code function of the at least one key or a sequence of keys" that are entered via a "user interface device" (such as a "remote control unit"), all within the environment of a "consumer device" or "set-top terminal". In contrast, while Lopresti teaches that Push-button keypad 79 ...may be programmed by the user, including a learning function which would allow keypad 79 to take on universal functions (col 6, lines 32 – 36), this is only a suggestion that the "remote control unit" itself is made to re-map keystroke entries, and not the software that is resident in the "consumer device" or "set-top terminal" (see control unit 20, Lopresti, fig 2). Applicant points out at page 10 of the response that reprogramming of a keypad device (such as unit 24, fig 2, Lopresti) is the typical approach found in such a system.

In considering Lopresti at further length, the Examiner does note that [m]uch of the video user environment is preferably implemented as software that is executed by the distributed processor architecture 72 (e.g. 72a and 72b), where [t]he software can be stored in the read only memories ROM 76 and ROM 88 of the remote control unit 24

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and control unit 20, respectively (col 6, line 62 – col 7, line 5). However, this does not suggest that the keypad programming be moved to reside within control unit 20.

Rather, the software component 100 of Lopresti (col 7, lines 7 – 31), as seen in fig 6, provides a hardware abstraction layer, microkernel layer, drivers and libraries and user interface layer, without the indication that keystroke remapping by itself should move within the distributed processor architecture to the side of control unit 20, especially with the explicit teaching of the remote control unit 24 that performs this function.

Goulden does not remedy this lack of motivation in Lopresti, by merely teaching an iconic interface whose display varies on the basis of user navigation and application access. At best, Goulden will need to arrange for a set of icons that is application specific, but Goulden remains silent as to the remapping of keys.

Regarding independent claim 36, applicant notes at page 13 of the response that the combination of Lopresti and Goulden is insufficient to suggest that “a function signaled by one or more of said plurality of keys on said remote control device can be selected and programmed by a user by selecting that function from a menu displayed on said display device”. While Lopresti does teach that the “keys” can be remapped by reprogramming the keypad device, such reprogramming does not occur via menu selection on the display device. Goulden, as has been previously noted, does teach an iconic interface corresponding to a remote control input device, but does not contain a fair suggestion that this interface be made the basis of reprogramming entries by the user.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.
4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (571) 273-8300.
5. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

  
RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173

19 July 2005